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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,712	09/26/2003	Duane W. Buckingham	INC-0019	1137

7590 09/27/2004
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002

EXAMINER

NGUYEN, HUNG T

ART UNIT	PAPER NUMBER
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2636

DATE MAILED: 09/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/672,712

Applicant(s)

BUCKINGHAM ET AL.

Examiner

Hung T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-190 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-190 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/26/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election / Restriction

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Group I. Claims 1-34, 63-78 & 165-180, drawn to reduce of energy and determining a vacant occupancy status of a room, setting temperature in a room / thermostat device, classified in class 340, subclasses 825.31, 825.34 & 571, classified in class 235, subclasses 382 & 382.5.
- Group II. Claims 35-50, drawn to determining a condition of a mini-bar in a room, classified in class 340, subclasses 686.1 & 999, classified in class 221, subclasses 8 & 124.
- Group III. Claims 51-62 & 131-154, drawn to detecting a request of an occupant in a room & displaying a request to staff, classified in class 340, subclasses 286.04, 300 & 328.
- Group IV. Claims 79-130 & 155-164, drawn to locating staff with tracking device & locating a service device identity, classified in class 379, subclasses 209, 90.01 & 88.25, classified in class 340, subclasses 286.07, 825.31 & 825.34.

Group V. Claims 181-190, drawn to door lock device, classified in class 340, subclasses 543, 542 & 540, classified in class 70, subclasses 278, 431 & 262.

2. Because these inventions are distinct for the reasons given above and the search required for Group I is NOT required for Group II, Group III, Group IV & Group V restriction for examination purposes as indicated is proper.

3. Because these inventions are distinct for the reasons given above and the search required a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

4. If the applicant would select Group I for examination, then Group II to Group V must be canceled with or without traverse.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Nguyen whose telephone number is (571) 272-2982. The examiner can normally be reached on Monday to Friday from 8:00am to 5:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hofsass, Jeffery can be reached on (571) 272-2981. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

A handwritten signature in black ink, appearing to read "Hung T. Nguyen". The signature is written in a cursive, flowing style with a horizontal line extending from the left.

Examiner: Hung T. Nguyen

Date: Sept. 20, 2004